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**NLRB ANNOUNCES PILOT PROGRAM FOR THE TAKING OF
VIDEO TESTIMONY IN REPRESENTATION PROCEEDINGS**

The National Labor Relations Board has authorized the General Counsel to create a Pilot Video Testimony Program to allow for the participation in representation case hearings of parties, representatives or witnesses from locations remote from the hearing site. The Pilot Video Testimony Program will run for a 2-year period.

The General Counsel is establishing this Pilot Video Testimony Program to monitor the use of video testimony, and assess its effectiveness. Initially, the pilot is limited to representation cases.

In announcing the program, General Counsel Ronald Meisburg stated:

We are conducting this pilot program in order to determine if video testimony allows the Board to develop a more complete record or expedite the resolution of questions concerning representation in situations where a party, witness, or representative is unable to appear in-person at a hearing. We are hopeful that this pilot program will provide the parties with several benefits, including savings in time and money, while facilitating the development of complete records during representation case hearings. Video testimony is employed by other Federal agencies with great success.

There continues to be a strong preference for "live, in-person" witness testimony at all NLRB representation case hearings and the presence of all parties, representatives and witnesses in the hearing room with the hearing officer. Nevertheless, where circumstances demonstrate a benefit from the use of videoconferencing equipment, Regional Directors now have authority to require its use during both pre-election and post-election representation case hearings.

Parties to representation cases interested in participating in the pilot should contact the Director of the Regional Office where the representation case is pending. In exercising their discretion, Directors will consider various factors, including the number, length, and types of documents (e.g. affidavits) to be introduced through a witness providing testimony via video; the number of witnesses who would testify by video and the expected length of their testimony; the types of issues involved in the proceeding; the potential cost of using video testimony versus travel costs, and the positions of the parties.

Costs for the use of videoconferencing equipment in representation case hearings will be borne by the NLRB.

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